

To: Albright, David[Albright.David@epa.gov]
From: Tiago, Joseph
Sent: Wed 2/17/2016 6:41:16 PM
Subject: RE: Quick Request - Response Needed
Aquifer exemptions_Feb2016.docx

FYI... Attached is the final document.

Joe Tiago, MS, MPH, Physical Scientist

Special Assistant

Drinking Water Protection Division

EPA Office of Ground Water and Drinking Water
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From: Albright, David
Sent: Wednesday, February 17, 2016 1:34 PM
To: Dermer, Michele <Dermer.Michele@epa.gov>; Tiago, Joseph <Tiago.Joseph@epa.gov>
Subject: RE: Quick Request - Response Needed

Hi Joe,

Here are bullet points we shared with Peter in advance of GWPC. Let me know if you need anything else. Thanks, David

* In California, EPA and the state identified a substantial number of Class II wells permitted to inject into non-exempt aquifers.

* Since this discovery, EPA Region 9 has worked diligently with the CA Division of Oil and Gas and the State's Water Board to address the situation, developing and now implementing a 2- year Plan to bring the state's Class II injection program back into compliance.

* The Plan includes identifying all non-compliant injection wells, prioritizing the wells by the relative risk posed to existing water sources, taking action to shut down potentially endangering wells, and putting the state on a timetable to seek aquifer exemption approval for those formations that meet federal exemption criteria and halt any injection into formations that do not meet the criteria.

* To ensure implementation of specific compliance deadlines, the state promulgated emergency rules incorporating the Plan's key timeframes for action into their UIC regulations.

* There is undoubtedly a significant workload ahead to fully remedy this situation in CA. However, we are confident that the state's implementation of the Compliance Plan, with careful oversight by EPA, will ensure compliance with the Safe Drinking Water Act and lead to improved protection of the state's vital groundwater resources.

From: Dermer, Michele

Sent: Wednesday, February 17, 2016 10:19 AM

To: Tiago, Joseph <Tiago.Joseph@epa.gov>; Albright, David <Albright.David@epa.gov>

Subject: RE: Quick Request - Response Needed

Hi Joe,

David had some kind of family thing or something and will not be in for another 30 minutes or so. I am sure he will want to get back to you.

I had a comment or two to add, but your bullet is correct.

They are working with EPA under a Compliance Plan approved by EPA in March 2015.

They have also issued new regulations which codify the deadline for well shut ins which is Feb 15, 2017 unless an exemption is granted.

From: Tiago, Joseph
Sent: Wednesday, February 17, 2016 10:11 AM
To: Albright, David <Albright.David@epa.gov>; Dermer, Michele <Dermer.Michele@epa.gov>
Subject: Quick Request - Response Needed

Hi David/Michele,

I was asked to provide a one-pager for Joel on AE and I would like to update the bullet below re: CA. I need to get this done ASAP. Please let me know if you have any edits.

Thanks!

Joe.

- As a result of an audit and aquifer exemption review, EPA Region 9 discovered that in California some Class II injection activities were taking place in aquifers that were not exempt. In late 2014, the California Division of Oil, Gas and Geothermal Resources (DOGGR) issued orders to cease injections into some of the aquifers that have not been exempted by EPA. DOGGR is working with EPA to assess and address the issue.

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